

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

SUSAN HERTZBERG (1)

CR. No. 6:22-CR-0003-JDK-JDL

**UNOPPOSED MOTION FOR PERMISSION TO TRAVEL TO THE DOMINICAN
REPUBLIC AND TEMPORARY USE OF PASSPORT**

Ms. Hertzberg seeks permission to travel on on March 18, 2023 from the United States to the Dominican Republic and return from the Dominican Republic to the United States on March 25, 2023. She additionally seeks permission for the temporary use of her passport for that purpose. Assistant United States Attorney Nathaniel Kummerfeld has been advised of this request and advises the government is unopposed.

I.

On April 21, 2022, Ms. Hertzberg voluntarily surrendered to the U.S. Marshal pursuant to the arrest warrant issued in this matter. (Dct. # 247). She surrendered her passport to pretrial services at her arraignment (Dct. # 244).

Ms. Hertzberg was released on an unsecured bond in the amount of \$50,000. (Dct. # 234). As a condition of her release, she agreed not to travel outside the United States unless such travel was approved by the Court. (Dct. # 234 & # 235). Ms. Hertzberg has been entirely compliant with the terms of her release throughout this matter.

On December 4, 2022, Ms. Hertzberg's father passed away. Ms. Hertzberg's family—pursuant to her father's wishes—is planning a service in the Dominican Republic in memory of him and her mother, who passed away three years ago. Ms. Hertzberg seeks approval from the

Court so she may travel to the Dominican Republic for the purpose of attending that service. Ms. Hertzberg would depart on March 18, 2023 for the Dominican Republic. She would return to the United States on March 25, 2023.

Ms. Hertzberg additionally respectfully requests the temporary release of her passport for the purpose of travel in accordance with this Motion. Said passport would be promptly returned to the Pretrial Services Officer supervising Ms. Hertzberg upon her return.

Ms. Hertzberg's counsel has advised the government of her request, and the government is unopposed.

II.

As a condition of the Court granting her request, Ms. Hertzberg proposes she be required to provide details of her travel to the Pretrial Services Officer supervising her, including the mode and times of travel, the relevant flight numbers and information, any changes that may occur to her itinerary due to flight cancellations or delays, where she will stay while in the Dominican Republic, who she will be with, and contact information for her while she is abroad. She also consents to being required to contact her Pretrial Services Officer upon her arrival in the Dominican Republic and again upon her return to the United States.

Ms. Hertzberg thanks the Court for its consideration of her request.

Respectfully submitted,

/s/ David Bitkower

David Bitkower – Lead Attorney

Pro Hac Vice

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CERTIFICATE OF CONFERENCE

I certify that on January 25, 2023, Assistant United States Attorney Nathaniel Kummerfeld stated that the government does not oppose the requested relief. Accordingly, this motion is unopposed.

/s/ David Bitkower
David Bitkower

CERTIFICATE OF SERVICE

I certify that on January 27, 2023, a copy of this Motion was filed with the Court and served upon the prosecutor and the U.S. Probation/Pretrial Services Officer via the electronic filing service.

/s/ David Bitkower
David Bitkower